

SECOND REGULAR SESSION

SENATE BILL NO. 827

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Pre-filed December 1, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

2723S.01I

AN ACT

To repeal section 512.020, RSMo, and to enact in lieu thereof one new section relating to interlocutory appeals in class actions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 512.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 512.020, to read as follows:

512.020. Any party to a suit aggrieved by any judgment of any trial court in any civil cause from which an appeal is not prohibited by the constitution, nor clearly limited in special statutory proceedings, may take his appeal to a court having appellate jurisdiction from any:

- (1) Order granting a new trial[, or];
- (2) Order refusing to revoke, modify, or change an interlocutory order appointing a receiver or receivers, or dissolving an injunction[, or from any];
- (3) **Order granting or denying class action certification provided that:**
 - (a) **An appeal of such an order shall not stay proceedings in the court unless the judge or the court of appeals so orders; and**
 - (b) **The court of appeals may in its discretion permit or refuse to permit such appeals;**
- (4) Interlocutory judgments in actions of partition which determine the rights of the parties[, or from any]; **or**
- (5) Final judgment in the case or from any special order after final judgment in the cause;

but a failure to appeal from any action or decision of the court before final judgment shall

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

not prejudice the right of the party so failing to have the action of the trial court reviewed on an appeal taken from the final judgment in the case.

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